

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

TIMOTHY PRICE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 2:13-cv-00083-AKK-JHE
	)	
OFFICER A. PHILLIPS and	)	
OFFICER B. HILL,	)	
	)	
Defendants.	)	

**ORDER**

On June 4, 2013, Magistrate Judge Robert Armstrong entered a report recommending that this action be dismissed without prejudice for failing to state a claim upon which relief can be granted. (Doc. #10). However, Judge Armstrong allowed the plaintiff fourteen days to file an amended complaint for further consideration by the court. On June 14, 2013, the plaintiff submitted an amended complaint which includes additional factual allegations in support of his excessive force claims. (Doc. #11). Based upon the additional allegations submitted by the plaintiff, the court finds it appropriate to require the defendants to respond to his claims. Accordingly, the report and recommendation of June 4, 2013, is **VACATED**. An Order for Special Report requiring the defendants to respond to the plaintiff's claims will be entered contemporaneously herewith.

The Clerk is DIRECTED to serve a copy of this order upon the plaintiff.

Done this 27th day of June 2013.

  
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JOHN H. ENGLAND, III  
UNITED STATES MAGISTRATE JUDGE